

6-12 ACTION
HPSCI OLL 84-3163

**Office of Legislative Liaison
Routing Slip**

TO:	ACTION	INFO
1. D/OLL		X
3. DD/OLL		X
3. Admin Officer		
4. Liaison		
5. Legislation	X	
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SUSPENSE 20 June 1984
Date

Action Officer:	<input type="text"/>
Remarks: COMPLETED 18 JUNE 1984. BY OLL 84-3160. FILED LEG/PERSONNEL GENERAL	

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15 June 84
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Office of Legislative Liaison
Routing Slip

TO:

	ACTION	INFO
1. D/OLL		✓
3. DD/OLL		
3. Admin Officer		
4. Liaison		
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SUSPENSE

20 June 84
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15 June 84
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EXECUTIVE SECRETARY
ROUTING SHEET

TO:

	ACTION	INFO	DATE	INITIAL
1 DCI				
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4 D/ICS				
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7 DDO				
8 DDS&T				
9 Chm/NIC				
10 GC				
11 IG				
12 Compt				
13 D/Pers				
14 D/OLL	✓			
15 D/PAO				
16 SA/IA				
17 AO/DCI				
18 C/IPD/OIS				
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	SUSPENSE		Done	

Remarks

6/17/84
Done

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LEGISLATIVE LIAISON

84-3163

U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

WASHINGTON, D.C. 20515

Executive Registry

84-2609

June 12, 1984

The Honorable William J. Casey
 Director of Central Intelligence
 Central Intelligence Agency
 Washington, D.C. 20505

Dear Director Casey:

The Subcommittee on Legislation of the Permanent Select Committee on Intelligence will soon be considering H.R. 5805, legislation to provide benefits for former spouses of certain CIA personnel. The legislation would extend federal health benefit plan eligibility to these former spouses and would provide annuities in certain circumstances to former CIA spouses who did not benefit from enactment of the Central Intelligence Agency Spouses' Retirement Equity Act of 1982 (P.L. 97-269, Title VI).

To assist the Subcommittee in its consideration of this legislation, we would appreciate receiving your written views on H.R. 5805 by July 20, 1984. I have also requested the views of the Director of the Office of Personnel Management on the bill.

We look forward to working with the Central Intelligence Agency on this legislation.

Sincerely,


 Romano L. Mazzoli
 Chairman

GPO: 1984 O-1000 3-27

DCI
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98TH CONGRESS
2D SESSION

H. R. 5805

To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees to provide essential benefits to certain former spouses not eligible for any benefits under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 1984

Mr. MAZZOLI (for himself and Mr. WHITEHURST) introduced the following bill; which was referred to the Permanent Select Committee on Intelligence

A BILL

To amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees to provide essential benefits to certain former spouses not eligible for any benefits under that Act, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2 *That (a) part C of title II of the Central Intelligence Agency*
- 3 *Retirement Act of 1964 for Certain Employees is amended*
- 4 *5 by adding at the end thereof the following new section:*
- 5 **“BENEFITS FOR CERTAIN OTHER FORMER SPOUSES**
- 6 **“SEC. 224. (a) Any individual who was a former spouse**
- 7 **8 of a participant or former participant in the Central Intelli-**

1 gence Agency Retirement and Disability System on Novem-
2 ber 15, 1982, and for whom no election is made (whether
3 before, on, or after the date of the enactment of this section)
4 by such participant or former participant under section 223 of
5 this Act, is entitled to an annuity, payable from the fund,
6 equal to the amount of the annuity then currently payable to
7 an individual under section 523(c) of the Foreign Relations
8 Authorization Act, Fiscal Year 1977 (90 Stat. 847).

9 "(b) A former spouse shall not be qualified for an annu-
10 ity under this section if, before such annuity commences, such
11 former spouse remarries before becoming 60 years of age.

12 "(c)(1) An annuity payable to a former spouse under this
13 section—

14 "(A) shall commence—

15 "(i) in the case of a former spouse of a par-
16 ticipant or former participant who is deceased or
17 who has retired under the Central Intelligence
18 Agency Retirement and Disability System as of
19 the date of the enactment of this section, begin-
20 ning on the 120th day after such date; and

21 "(ii) in the case of any other former spouse,
22 beginning on the later of—

23 "(I) the date that such participant or
24 former participant dies or so retires, which-
25 ever occurs first; or

1 “(II) the 120th day after the date of the
2 enactment of this section; and

3 “(B) shall terminate on the last day of the month
4 before the former spouse's death or remarriage before
5 attaining age 60.

6 “(2) If a former spouse is not entitled to an annuity
7 under this section because of remarriage, or if an annuity
8 under this section is terminated because of remarriage, such
9 annuity shall commence or be restored (as the case may be)
10 commencing on the date such remarriage is terminated.

11 “(3) A former spouse to whom a lump-sum payment has
12 been paid under section 234 or section 241 of this Act shall
13 not be entitled to an annuity under this section unless the
14 former spouse returns such payment to the fund.

15 “(4) An annuity under this subsection—

16 “(A) shall not be payable unless appropriate writ-
17 ten application is provided to the Director, complete
18 with any supporting documentation which the Director
19 may by regulation require; and

20 “(B) shall not be payable with respect to any
21 period commencing before such application is so
22 provided.

23 “(d) The Director shall—

24 “(1) as soon as possible, but not later than 120
25 days after the date of the enactment of this section,

1 prescribe such regulations as may be necessary to
2 carry out this section; and

3 " (2) to the maximum extent practicable, and as
4 soon as possible, inform each individual who was a
5 former spouse on November 15, 1982, of any rights
6 which such individual may have under this section.".

7 (b) Section 14(a) of the Central Intelligence Agency Act
8 of 1949 (50 U.S.C. 403n) is amended by inserting "224,"
9 after "222, 223,".

10 SEC. 2. The Central Intelligence Agency Act of 1949
11 (50 U.S.C. 403a-n) is amended by adding at the end a new
12 section as follows:

13 "HEALTH BENEFITS FOR CERTAIN FORMER SPOUSES OF
14 EMPLOYEES

15 "SEC. 15. (a)(1) Except as provided in subsection (c)(1),
16 any individual—

17 " (A) married to an employee or former employee
18 of the Agency, whose marriage is dissolved by divorce
19 or annulment;

20 " (B) who, immediately before the divorce or an-
21 nulment becomes final, is covered under a health bene-
22 fits plan as a member of the family of such employee
23 or former employee; and

24 " (C) who was married to such employee for not
25 less than 10 years during periods of service by such
26 employee with the Agency, at least five years of which

1 were spent outside the United States by both the em-
2 ployee and the former spouse,
3 is eligible for coverage under a health benefits plan in accord-
4 ance with the provisions of this section.

5 "(2) An individual described in paragraph (1) (hereafter
6 in this section referred to as a 'former spouse') may enroll in
7 the plan referred to in subparagraph (B) of such paragraph
8 (for self alone or for self and family, as the individual may
9 under this paragraph elect) if, before the expiration of the 31-
10 day period beginning on the date the divorce or annulment
11 becomes final, and in accordance with such procedures as the
12 Director of the Office of Personnel Management shall by reg-
13 ulation prescribe, the former spouse—

14 "(A) files an election for such enrollment; and

15 "(B) arranges to pay currently into the Em-
16 ployees Health Benefits Fund (under section 8909 of
17 title 5, United States Code) an amount equal to the
18 sum of the employee and agency contributions payable
19 in the case of an employee enrolled under chapter 89
20 of such title in the same health benefits plan and with
21 the same level of benefits.

22 "(3) The Director of the Office of Personnel Manage-
23 ment shall, by regulation, establish procedures designed to
24 provide timely notice to all employees and former employees

1 of the Agency enrolled in a health benefits plan of the right of
2 election under this subsection.

3 “(4) The Director of the Office of Personnel Manage-
4 ment may waive the 31-day limitation set forth in paragraph
5 (2) in any case in which such Director determines that the
6 circumstances so warrant.

7 “(b)(1) Except as provided in subsection (c)(1), any indi-
8 vidual who becomes a former spouse on or before the date of
9 enactment of this section may enroll in a health benefits plan
10 for self alone or for self and family if, before the expiration of
11 the 6-month period beginning on such date of enactment, and
12 in accordance with such procedures as the Director of the
13 Office of Personnel Management shall by regulation pre-
14 scribe, such individual—

15 “(A) files an election for such enrollment; and

16 “(B) arranges to make payments as described in
17 subsection (a)(2)(B).

18 “(2) The Director of Central Intelligence shall, as soon
19 as possible, take all steps practicable—

20 “(A) to determine the identity and current address
21 of each former spouse to whom paragraph (1) applies;
22 and

23 “(B) to notify each such former spouse of that in-
24 dividual’s rights under this section, which notification
25 shall be by mail, notice in newspapers of general circu-

1 lation, or such other method or combination of methods
2 as the Director of Central Intelligence considers
3 appropriate.

4 "(3) The Director of the Office of Personnel Manage-
5 ment, upon notification by the Director of Central Intelli-
6 gence, shall waive the 6-month limitation set forth in para-
7 graph (1) in any case in which the Director of Central Intelli-
8 gence determines that the circumstances so warrant.

9 "(c)(1) Any former spouse who remarries before age 60
10 is not eligible to make an election under subsection (a) or (b).

11 "(2) Any former spouse enrolled in a health benefits
12 plan pursuant to an election under subsection (a) or (b) may
13 continue the enrollment under the conditions of eligibility
14 which the Director of the Office of Personnel Management
15 shall by regulation prescribe, except that any former spouse
16 who remarries before age 60 shall not be eligible for contin-
17 ued enrollment under this section after the end of the 31-day
18 period beginning on the date of remarriage.

19 "(d) Nothing in this section allows any individual to be
20 covered under more than one enrollment under chapter 89 of
21 title 5, United States Code.

22 "(e) For purposes of this section the term 'health bene-
23 fits plan' means an approved health benefits plan under chap-
24 ter 89 of title 5, United States Code.".

